THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15621 of 2006

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07.8.2006

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Between:

D.Bhoomaiah, S/o.D.Yellaiah
And others

… Petitioners

AND

The District Collector, Nizamabad
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15621 of 2006

ORDER:

The petitioners are allegedly in occupation of land in survey No.1062 situated at Lingampet Village in Nizamabad District since 1989. They allegedly installed small wooden bunks for carrying on petty business like cobbler, cycle repair, pan shop, kirana shop etc. They made a representation to the District Collector, first respondent herein, on 22.3.2006 to consider regularization of the land in their occupation as per the Government orders in G.O.Ms.No.1601, dated 29.8.2005. Alleging that the same has not been considered and has not been disposed of, the present writ petition is filed.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (General) obtained instructions. He submits that the land in survey No.1062, which is allegedly in possession of the petitioners, is patta land and not Government land. Therefore, the orders of the Government in G.O.Ms.No.1601 has no application. As rightly pointed out by the learned Assistant Government Pleader, the orders of the Government in the said G.O., are applicable for regularization of encroachments by way of dwelling houses in Government lands and the same has no application if the encroachment is on the private patta land. Therefore, no fault can be found if the representation of the petitioner is not disposed of.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(**V.V.S.RAO,J**)

August 07, 2006.
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